

Senate Bill No. 1304

Passed the Senate August 16, 2006

Secretary of the Senate

Passed the Assembly August 10, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 81005 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 1304, Runner. Community colleges: facilities.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Throughout the state, community college districts operate campuses and provide instruction to students. Existing law provides standards and procedures for the construction of school facilities by community college districts.

This bill would authorize state funds provided for the capital outlay financing needs of the California Community Colleges to be used to acquire an existing government-owned or privately-owned building and for the necessary costs of converting that building to community college use. The bill would provide that a community college district that is eligible for state funding for capital outlay financing may purchase such a building and convert it to community college use with state funds if it meets specified criteria.

The bill would specify that funding for buildings purchased under the bill would not supersede funding for community college facilities that have previously been prioritized by the board of governors and are awaiting state funding. The bill would also specify that a community college district that purchases an existing building under the bill is authorized to request state funding for instructional equipment, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 81005 is added to the Education Code, to read:

81005. (a) State funds provided for the capital outlay financing needs of the California Community Colleges may be used to acquire an existing government-owned or

privately-owned building and for the necessary costs of converting that building to community college use. A community college district that is eligible for state funding for capital outlay financing may purchase an existing government-owned or privately-owned building and convert it to community college use with state funds if all of the following criteria apply:

(1) The building to be purchased was constructed as, and continues to qualify as, a school building pursuant to Article 7 (commencing with Section 81130), or the building is determined to have, or is rehabilitated to an extent that it is determined to have, a pupil safety performance standard that is equivalent to that of a building constructed pursuant to Article 7 (commencing with Section 81130). In making the determination of the pupil safety performance standard as required in this paragraph, all of the requirements of paragraphs (1) and (2) of subdivision (a) of Section 81149 shall be met.

(2) The total cost of purchasing and converting the existing building to community college use is not greater than the estimated cost of constructing an equivalent building.

(3) The land associated with a building to be purchased will be owned by, or controlled through a long-term lease by, the community college district. As used in this section, “long-term lease” means a lease with a term of at least 50 years.

(4) The district has complied with facility site review procedures and guideline recommendations of the California Postsecondary Education Commission pursuant to Section 66904.

(b) Funding for a building to be purchased under this section shall not supersede funding for community college facilities that have previously been prioritized by the board of governors and are awaiting state funding. Buildings purchased under this section shall be subject to the annual prioritization process of the board of governors, and shall not receive higher priority for state funding because they are existing buildings rather than buildings proposed to be constructed.

(c) A community college district that purchases an existing building under this section may request state funding for instructional equipment. Funding for that instructional equipment shall be provided in accordance with Chapter 4.8 (commencing with Section 84670) of Part 50, provided that the chancellor

determines that the purchase of this equipment qualifies as a priority for state funding.

Approved _____, 2006

Governor